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OFFICE OF PETITIONS

In re Application of
Thomas C. Green, et al.
Application No. 10/693,598
Filed: October 23, 2003
Attorney Docket No. NEO-002 CON2

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 5, 2005, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is not a final agency action within the meaning of 5 U.S.C. § 704.

The petition for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b) was signed by Gerald J. Sanders, CEO of Neoseed Technology, LLC. In order for an assignee to take action in a case before the Office, compliance with 37 CFR 3.73(b) must be satisfied.

Specifically, § 3.73 provides that:

- (1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office.

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A Statement under 3.73(b) is required in order to revive the application. A blank copy of Statement under 37 CFR 3.73(b) accompanies this decision.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
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By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.



Retta Williams
Petitions Examiner
Office of Petitions

Attachment to cc: Blank copy of Statement under 37 CFR 3.73(b) form.

cc: Gerald J. Sanders
CEO of Neoseed Technology, LLC
The Presidio, Old Army Headquarters, Building 220
Suite 120, P. O. Box 29450
San Francisco, CA 94129